



Town of New Windsor

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OFFICE OF THE PLANNING BOARD

WEDNESDAY - MAY 22, 2002 7:30 PM

TENTATIVE AGENDA

CALL TO ORDER ROLL CALL

APPROVAL OF MINUTES DATED: APRIL 24, 2002

PUBLIC HEARING:

1. ADC WINDSOR, INC. SUBDIVISION (01-45) KINGS DRIVE (SHAW)
49 Lot residential subdivision

REGULAR ITEMS:

2. PATRIOT ESTATES SUBDIVISION (01-66) RT. 32 & UNION AVE (SHAW)
40 Lot residential subdivision.
3. PATRIOT BLUFF CONDOMINIUMS (01-65) RT. 32 & UNION AVE (SHAW)
Proposed 124 unit condominium project.
4. BLOOMING GROVE OPERATING SUBDIVISION (01-30) MELISSA LANE
(ZIMMERMAN) Resubdivision of Lot #3 of original subdivision for single family homes
5. COVINGTON ESTATES SITE PLAN (01-41) RT. 300 (TECTONIC) Proposed 130 unit
multi-family project.
6. MEADOWBROOK ESTATES (01-42) RT. 94 & MT. AIRY RD. (TECTONIC)
Residential Subdivision for single family homes.
7. PEACH TREE ACRES SUBDIVISION (02-10) SHAW ROAD (MULLIGAN)
5-Lot Residential Subdivision
8. SABINI SITE PLAN (02-06) RT. 300 (PFAU) Convert existing home to office.

CORRESPONDENCE

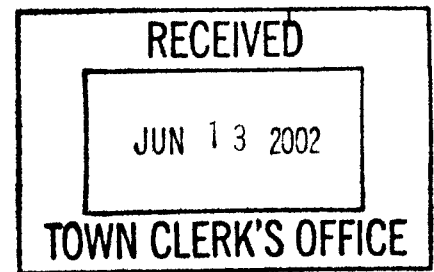
DISCUSSION

ADJOURNMENT

(NEXT MEETING -JUNE 12, 2002)

May 22, 2002

TOWN OF NEW WINDSOR
PLANNING BOARD
MAY 22, 2002



MEMBERS PRESENT: JAMES PETRO, CHAIRMAN
JIM BRESNAN
RON LANDER
JERRY ARGENIO
THOMAS KARNAVEZOS

ALSO PRESENT: MARK EDSALL, P.E.
PLANNING BOARD ENGINEER

MICHAEL BABCOCK
BUILDING INSPECTOR

ANDREW KRIEGER, ESQ.
PLANNING BOARD ATTORNEY

MYRA MASON
PLANNING BOARD SECRETARY

REGULAR MEETING

MR. PETRO: I'd like to call the regular meeting of the New Windsor Planning Board to order. Would everyone please stand for the Pledge of Allegiance? .

(Whereupon, the Pledge of Allegiance was recited.)

APPROVAL OF MINUTES DATED: APRIL 24, 2002

MR. PETRO: Has everyone had a chance to read the minutes dated April 24, 2002? Are there any corrections or as written?

MR. ARGENIO: Motion we approve the minutes.

MR. BRESNAN: Second it.

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MR. PETRO: Motion has been made and seconded that the New Windsor Planning Board approve the minutes dated April 24, 2002. Is there any further discussion from the board members? If not, roll call.

ROLL CALL

MR. ARGENIO	AYE
MR. BRESNAN	AYE
MR. KARNAVEZOS	AYE
MR. LANDER	AYE
MR. PETRO	AYE

PUBLIC HEARING:

ADC WINDSOR, INC. SUBDIVISION (01-45)

Mr. Gregory Shaw of Shaw Engineering appeared before the board for this proposal.

MR. PETRO: This is a 49 lot residential subdivision. This application involves subdivision of 142 acres into 49 single residential lots. The plan was previously reviewed at the 27 June, 2001, 13 March, 2002 planning board meetings. The application is before the board for a public hearing at this time. And property is located in an R-1 zoning district of the town, which is a permitted use?

MR. SHAW: Yes.

MR. PETRO: Are you done? Go ahead.

MR. SHAW: Thank you. For the record, my name is Greg Shaw and I'm with Shaw Engineering representing ADC Windsor tonight. As the Chairman mentioned, our proposal is to subdivide 142 acres of land on Kings Road into 49 single family detached lots. The parcel is in an R-1 zone where we're required to provide a minimum lot area of 43,560 square feet per lot. The site really consists of three geometric formations.

MR. PETRO: Address the board first, please.

MR. SHAW: We have three distinct portions of the site, westerly portion consists of steep embankment and a relatively flat area at its base, none of that is proposed for development. You'll be coming in off Kings Road, going up an incline of a new boulevard that being the dual lane 20 foot wide each, up into this second area which is a large plateau brush area and that's where the bulk of the development will take place. As you continue on in the easterly fashion, you again get into an area where you have relatively steep banks, wooded area and again we're proposing to leave that in its existing condition. So out of 142 acres, we're probably really going to be developing about 80 acres of it. The rest is going to be left in the very

natural state and again, the majority of the property is brush with some isolated wooded areas. What we're proposing to do is to come off of Kings Road with a boulevard that being again a dual lane 20 feet wide to allow traffic to climb up to the top of the hill. Once we get to the top of the hill, we'll have an internal loop system throughout the subdivision with one cul-de-sac servicing about 9 lots in the southerly portion of the site. The slopes of that road system are going to vary from minimum slope of one percent to a maximum of ten percent, all of which are in accordance with the town road specifications. They'll be built to the, according to the town road specs and upon completion, they'd be dedicated to the town. With respect to the infrastructure, there are no central water or sewer facilities available. We will be installing storm drainage system throughout the roadway and collecting the storm water that flows onto the site and that which is generated by the site will be discharged primarily into a new storm water detention water quality basin, which is along the southerly property line, that's where the storm water presently flows now. That will be collected, detained, improved in its quality, then discharged through a level spreader which again will emulate the existing conditions. There will be some storm water which will be flowing down Road A and that will be picked up by drainage system and again discharged into the relatively large flat area of lots 32, 31 and 30 and it will flow overland again, as per the existing conditions flowing in a southerly direction. There will be some minor storm drainage which will be flowing to the east, but again, with the bulk of the development discharging to the water quality basin, there will not be an increase in storm water flow in the direction. With respect to water and sewer facilities, as I said, there are no central facilities available to the project so we'll be relying upon individual wells and individual subsurface sewage disposal systems. While this board I'm sure is interested in it, each system will be reviewed by the Orange County Department of Health and approved prior to coming back to this board for a final subdivision approval. With respect to the wells, each well will be serviced by an individual well and again a requirement

of realty subdivision approval from the health department is that we drill four to five test wells and to test them to come up with a minimum yield and to present that information to the health department to demonstrate that this parcel of land can provide water to the 49 new homes. That's just a general overview of the project. I'd be happy to answer any questions that the board may have or the public when the comment period opens.

MR. LANDER: First of all, Mr. Shaw, we have sufficient sight distance, I see we have a turn on Kings Road?

MR. SHAW: Yes, we do, you'll notice on drawing one of 12, I have a sight distance of 400 feet to the east and a minimum distance of 800 feet to the west.

MR. LANDER: Speed limit on the road is?

MR. SHAW: Thirty miles an hour and I believe there are a maximum of 15 homes on Kings Road, so it's not a very heavily traveled road. You'll notice that the reason I brought it up closer to the turn is that there are some DEC wetlands on the adjacent parcel, the buffer area bleeds over onto our parcel, to stay away from that entirely, the road had to be moved a little bit more to the east than originally planned.

MR. PETRO: Lead agency coordination letter mailed out March 14, 2002, we've had no responses.

MR. LANDER: So moved.

MR. KARNAVEZOS: Second it.

MR. PETRO: Motion has been made and seconded that the New Windsor Planning Board assume lead agency under the SEQRA process for the ADC Windsor Inc. subdivision.

ROLL CALL

MR. ARGENIO	AYE
MR. BRESNAN	AYE
MR. KARNAVEZOS	AYE
MR. LANDER	AYE

MR. PETRO AYE

MR. PETRO: We have fire approval on 5/10/02 and highway approval is under review. Okay, on this day, 5/10/02, 28 addressed envelopes containing attached notice of public hearing were mailed out. If someone is interested in speaking for or against this application, please be recognized by the Chair, come forward, state your name and address and your concern. Is anyone here who would like to speak? Nobody wants to talk about this application? Motion to close the public hearing.

MR. ARGENIO: So moved.

MR. BRESNAN: Second it.

MR. PETRO: Motion has been made and seconded that the New Windsor Planning Board close the public hearing for the ADC Windsor Inc. subdivision on Kings Drive. Is there any further discussion? If not, roll call.

ROLL CALL

MR. ARGENIO	AYE
MR. BRESNAN	AYE
MR. KARNAVEZOS	AYE
MR. LANDER	AYE
MR. PETRO	AYE

MR. PETRO: At this time, I will open it back up to the board for any further comment and review. Greg, there's three or four comments from Mark, we're not going to go over them all, I assume you can pick up a sheet, you can read them yourself. Some are housekeeping, some are other items. You have to get together with the highway superintendent and we have looked at this three or four times already. Is there any other changes to any of the lots? Mark, do you have any other comments that you feel should be brought out at this time?

MR. EDSALL: No, what I'd like to do is since there are no concerns from the public nor from the board, I will go through the plans in detail with Henry Kroll, we'll

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get any comments to Greg prior to his forwarding this on to the Orange County Department of Health, I'm sure at that point it will be in good shape.

MR. PETRO: Any board members have any comment at this time? We're going to see it again so thank you.

REGULAR ITEMS:

PATRIOT ESTATES SUBDIVISION (01-66)

Mr. Gregory Shaw of Shaw Engineering appeared before the board for this proposal.

MR. PETRO: Forty lot residential subdivision. Application involves subdivision of the existing lands to create 40 single family residential lots on 25.72 acres. The plan was previously reviewed in concept only at the 12 December, 2001 planning board meeting. The board should note that this subdivision involvement is a component of the planned unit developed previously reviewed and approved by the Town Board.

MR. EDSALL: You'll note in my comment 2 that the actual count is 31, that 40 is the original number.

MR. PETRO: The last time Mr. Shaw was here, he had represented the 40 homes, this board had requested that he talk to the owner of the property and see if we can get that count down a little bit in keeping with our getting the houses up to 80,000 square foot lots, obviously, we can't do that because he's grandfathered in here, but we thought that it would be good to get the count down a little bit and he has reduced it by approximately 25 percent from 40 to 31 and the board thanks you for that compliance. Okay, your presentation.

MR. SHAW: I think you almost said it all. We're here tonight to discuss the concept plan and to resolve the lot count and only that. What I had done is complied with the board's wishes, which is to make the minimum lot size on each and every lot 15,000 square feet which was really a 50% increase from that which was on the lots of the special permit which were 10,000 square foot which the board felt were too small. We followed your direction, we increased them each to a minimum of 15,000, some are substantially larger and with that the lot count dropped from 40 to 31 lots. This drawing reflects the lot line change that's going to happen shortly in the future and what I'd like to point out also this also shows an interconnect with Park Hill

Drive. What the drawing shows is an emergency interconnect with a crash gate and a lock and a chain, it's not for through traffic. That's our proposal to the board. If the board of the, or the Town of New Windsor wishes something differently, we'd be more than happy to comply with it. For now, we thought it would be appropriate to show you that connection to allow emergency vehicles in the Park Hill Drive area, other than from Union Avenue. That's all I have to offer on this application tonight, Mr. Chairman.

MR. PETRO: What's the average size of the lot now that you've taken out 9 lots?

MR. SHAW: We have 31 lots on 23.5 acres.

MR. LANDER: Does that answer your question?

MR. PETRO: It's close enough. They're over where they have to be. Mark, why don't you just bring us up to par here?

MR. EDSALL: Actually, at this point, Mr. Chairman, I have some comments under item number 4 that really need to be addressed once they get into the detailed design. I think what we're looking for at this point to see if the board is comfortable with the density and the configuration so we can proceed to review whatever detail plans that Greg can put it together. It's very conceptual at this point, there's not a lot to comment on.

MR. LANDER: Mr. Chairman, and Mr. Shaw, Road B interconnect with Park Hill Drive, I shouldn't raise it as an interconnect, would it be possible to have that end of Park Hill Drive or Road B a one way to Route 32?

MR. SHAW: Absolutely.

MR. LANDER: We don't want to put anymore traffic through Park Hill to Union Avenue because we don't want to make a bad situation worse, so my suggestion is and I'm only one member is to have it be a one way, emergency vehicles can go down a one way street, put the siren on if they want to, the police vehicles,

crash gate is okay, I'm sure a lot of the people from Park Hill would like to see a crash gate, but if you had another way to go out Park, you wouldn't go to Union Avenue.

MR. SHAW: That's our proposal. Whatever the board and New Windsor wishes, we'd be more than happy to comply with.

MR. LANDER: Let's consider that.

MR. PETRO: We'll consider that, that decision doesn't have to come, it's not going to change the concept of the layout. So there's either going to be a gate or there's not going to be a gate. So we'll get to that. Looking at the water distribution, capacity of the water system on Union Avenue, private roads serving lots 10 and 11 require further detail, where is that?

MR. SHAW: That's over in this area, Mr. Chairman. What we had before was a common driveway. What this board suggested that we remove a common driveway, put in a private road in accordance with the town specs, that's what that reflects, really just going to service two lots, just going to be one crossing of the wetland area.

MR. LANDER: I see sidewalks, is that what that is on here, Mr. Shaw?

MR. SHAW: Yes, correct.

MR. PETRO: One side only, right?

MR. SHAW: Correct, the sidewalk pattern is such that it starts in the cul-de-sac, loops around this fashion, connects here and then continues on down Ephiphany Drive to the retail center.

MR. ARGENIO: Mark, where are we headed in 4C?

MR. EDSALL: There's currently a problem in capacity with the water pump station located on Union Avenue. It is undersized and it can handle no additional development, especially of this size, and obviously,

the next application only makes that situation worse, the next one on the agenda. The applicant is aware of it, it's being evaluated by the town right now. They're trying to assess what improvements need to be made to increase that capacity but I'm just putting it on the record so we're aware that that must be resolved for these applications to move forward.

MR. ARGENIO: That's not a burden that would be borne by the people of the Town of New Windsor.

MR. EDSALL: The intent would be that there would be at minimum a share borne by the developer, but there's also the possibility that the Town Board may decide that there's a certain amount of the upgrade that they intend to do anyway, but it would not be a hundred percent town, you're absolutely right.

MR. PETRO: Okay, any problems with the layout, conceptually, anybody have any comment conceptually? All right, now, I see a lot of people here, this is not a public hearing and obviously, you're not to speak at it. Is there one person here who would like to just give us a quick idea of your concerns? I know you're all from Park Hill and you don't want the cars and the whole bit, anybody want to say one item, one thing? You're going to speak for everybody for like two minutes. Keep in mind this is not a public hearing, listen, we're going to have a public hearing, this is not the public hearing, but it may give us a little input.

MR. KEN COPANS: Our concerns are very simple. We're a quiet, residential neighborhood. We've got kids on bikes, we don't want anymore traffic through the neighborhood. It's hard enough to get on Union Avenue. There's a problem when they built the back subdivision, we related to this board, at that point in time, the board was made aware of it. We don't want it to be a through street and that's really our concern. We don't want this to impact our nice neighborhood. Most of us have been up there 30 years plus.

MR. PETRO: What do you think of Mr. Lander's suggestion?

MR. COPANS: I don't understand it. I haven't looked at the plan or the traffic flow, to me, one way street would give people the ability to come through Park Hill Drive to that project, still increases the amount of traffic, if that's what you mean by the one way street.

MR. LANDER: It would give you another exit out of Park Hill.

MR. COPANS: Also give all the people to the project access to it through Park Hill Drive, which increases the traffic flow. So I really wouldn't like that personally because to us, we want as little traffic as possible, as I say, the kids are riding bikes in the street, you know, it's a nice, quiet residential neighborhood where we can walk to the school through the back. It's been there for a long time and we're not looking for increase traffic flow or problems and the one way street isn't going to solve it, you'll be having people coming up Union through Park Hill to access the subdivision. To me, the locked gate would be a better solution if it's built at all.

MR. PETRO: It's been there for a real long time from when I was born, I think.

MR. COPANS: You're right.

MR. PETRO: We're going to, to me, the one way street really isn't a solution at all, just because it increases traffic flow.

MR. PETRO: We're going to listen to all that, we're going to still have the public hearing, this is just very unusual what I did, what I just did, we thank you for being brief and to the point. Thank you. All right, Greg, that's it with this plan, let's go on to the next one.

MR. SHAW: I can walk away feeling that the board is comfortable with the concept?

MR. PETRO: Conceptually.

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MR. SHAW: Number of lots and the road system other than Park Hill?

MR. PETRO: Right.

MR. SHAW: All right, fine.

PATRIOT BLUFF CONDOMINIUMS (01-65)

Mr. Gregory Shaw of Shaw Engineering appeared before the board for this proposal.

MR. PETRO: I am a neighbor of this applicant. I own the land next to it. It's my residence. But I have no affiliation with the applicant at all. This application involves development of a multi-family condo site plan on the westerly portion of the RPA property. Plan was previously reviewed in concept at 12 December, 2001 planning board meeting. And again, this unit count has been reduced from 124 down to 106 at the request of this board and I guess you can take it from there.

MR. SHAW: Thank you, Mr. Chairman. The last time we were before the board, the unit count reflected 124 units, the road pattern is identical, the unit types are identical. What the board asked us to do was to go back, take a look at the plan, see if we can knock down the unit count, just as importantly, they want to see where the visitor parking was going to be, where the refuse recycling centers were going to be, where the clubhouse or the pool were going to be to get a real feel for how this project was going to be developed. We have done that. We have come back and now ask for concept approval on this plan. Again, we're now down to 106 units, with that, we're providing two parking spaces for each unit, plus 68 visitor parking spaces, which is quite substantial. If you take a look around throughout the sight, the recycling centers, you'll agree there's more than enough with them. So with that again we're here tonight asking concept approval for this plan before you and only concept approval.

MR. PETRO: Once again, you're there by permitted right under the PUD granted by the New Windsor Town Board, is that correct?

MR. SHAW: Correct.

MR. LANDER: Is this going to be built in phases?

MR. SHAW: No.

MR. LANDER: So we don't have to ask for the clubhouse and the other amenities that go along with it?

MR. SHAW: No.

MR. LANDER: Now, in your parking calculation, are you using the garage area as a parking space?

MR. SHAW: Correct, we're using the garage as one space, the parking area in front of the garage is a space and with that, our visitor spaces.

MR. LANDER: How many visitor parking spaces for each unit here?

MR. SHAW: Well, we have 106 condos and we have 68 parking spaces. I may point out something else, some of these units, especially the end units, you may look and they have exceptionally wide driveways, it's those units that we tried to incorporate a two car garage into those units, all right, so some units will have the ability to park four cars, primarily the end units. Such as you'll notice one on the end units of building 9, building 8, all four of those units will take two cars.

MR. PETRO: How are we going to handle the under the SEQRA process the negative dec or positive dec here, Mark?

MR. EDSALL: Well, there's already a finding statement on record from the Town Board when they reviewed the PUD and if you recall, they didn't do a simple review of an EAF, they did an actual environmental impact statement review. What Greg needs to do on both applications and we have discussed it is to confirm that the potential impacts from both portions of this development, the single family residential and the condo portion are consistent with the impacts that the Town Board has already reviewed. If in fact he can confirm that there is no reason to reopen SEQRA as it's called so we'd effectively go on record saying what they're proposing is consistent with what the Town Board's already looked at and end it and move on.

MR. PETRO: Not going to do that tonight.

MR. EDSALL: No, we don't have enough information at this point, but I would suspect after you have looked at these in concept, Greg will move forward on that.

MR. PETRO: Unit count again has gone from 124 to 106, how many is permitted by law?

MR. SHAW: This is in an R-5 zone, I believe it's 6 per acre, the parcel is 31 acres, 180 just running at the math very quickly.

MR. PETRO: You're doing 106.

MR. SHAW: I'm doing 106 but again, Mr. Chairman, may I point out that the zoning for this parcel is under the special use permit issued by the Town Board around 1990, 1991, collectively, between this parcel and also the parcel on the easterly side of the project, I think the number was 575 units, okay. We're nowhere near that cumulatively, probably between the two projects we're looking at 210 condos and 40 single family homes, 31 single family homes now.

MR. PETRO: Mark, the radius in the center, is that proper, 45 foot, I thought we had higher right in the center of the condos.

MR. EDSALL: Okay, it's not a town road but the regulations give you the ability to apply town standards so what we would probably do is look for the fire chief or the fire inspector to determine if it's adequate.

MR. PETRO: Supposed to be 50 or 60, what is it?

MR. EDSALL: I think it's 50 for the pavement, 60 for the right-of-way.

MR. SHAW: So we're 5 net shy.

MR. EDSALL: Just about every fire truck in the New Windsor area can turn around in a 90 foot diameter,

mostly around 75, 80.

MR. PETRO: You can get a fire truck in and out?

MR. EDSALL: That's the whole key, we don't have to worry about the town's plow trucks because we're not going to maintain these roads.

MR. PETRO: Conceptually, does anyone have a problem with the plan as it stands? I realize you have a long way to go, this is conceptual, but we got the count down to I guess where it's acceptable to the board, I think you've done a good job trying to comply, thanks.

MR. SHAW: Thank you.

BLOOMING GROVE OPERATING SUBDIVISION (01-30)

Mr. Joe Foti appeared before the board for this proposal.

MR. PETRO: Why are you here?

MR. FOTI: Well, last time you saw this, I believe was in June of 2001 and since then, we have taken it to the health department and gotten health department approval on it and we're back tonight to seek final approval, if we can met all the conditions.

MR. PETRO: Bulk table has been corrected as well as driveway slopes have been addressed on the plans and we have no other outstanding issues. We have highway approval 5/22/02 and fire approval 4/6/01. Mark, do you have any anything else? Lead agency, SEQRA's been closed out, I'll take a motion for final approval.

MR. LANDER: So moved.

MR. KARNAVEZOS: Second it.

MR. PETRO: Motion has been made and seconded that the New Windsor Planning Board grant final approval to the Blooming Grove Operating Subdivision, resubdivision of lot number 3. Is there any further discussion? If not, roll call.

ROLL CALL

MR. ARGENIO	AYE
MR. BRESNAN	AYE
MR. KARNAVEZOS	AYE
MR. LANDER	AYE
MR. PETRO	AYE

MR. LANDER: Do we have a copy of the department of health approval?

MS. MASON: Yes.

MR. LANDER: Then my vote is yes.

COVINGTON ESTATES SITE PLAN (01-41)

John Capello, Esq. and Mr. Rusty Tilton appeared before the board for this proposal.

MR. PETRO: Proposed 130 unit multi-family project. Covington, which is the old Harp Estates, they had to have required water, I assume you did that, got the water?

MR. CAPELLO: Yes, we have a petition in and submitted to the Town Board to extend the water district to cover it.

MR. PETRO: I think you're in agreement with that, I can't speak for them but--

MR. CAPELLO: Yes, it's proceeding and they'll be calling the public hearing and we want to proceed in tandem now, but it appears all the issues other than the ownership of the road traversing the property that's been settled now.

MR. PETRO: I talked to Phil Crotty, it was settled.

MR. CAPELLO: Looks like all systems are go. We have been directed back to the planning board to continue processing the application. It's my understanding the board's already adopted lead agency on this and we began the SEQRA process a while back. It's 124 townhouse units off Temple Hill Road, the old Harp Estates. The last point when the board was looking at it we were at the point where a public hearing was ready to be called and it was postponed due to the fact that we were--

MR. PETRO: If you don't have the water, no sense of having a public hearing. Now that you have that resolved, I think at the time of the public hearing I'd like to have something in the file that says it's resolved.

MR. CAPELLO: Yes, well, we should, like I said, we have a letter from Mr. Edsall with a couple comments on the engineering report that was included with the water

district, we have those revisions made and ready to submit to the engineer tonight.

MR. PETRO: We had some concern with the town historian also, Mr. Marshall, do you have a letter from him? Have you been in touch with him or has he been in touch with you?

MR. CAPELLO: Well, what we have done is in the environmental assessment form in the documents you have there is a full Phase 1 report, we have had an archeologist actually do a Phase 1A for the entire site based on that Phase 1A. There was a recommendation for a Phase B, which is an actual digging of holes and looking for artifacts on the site, that's being overviewed by the State Historic Parks Recreation Office so that's available as part of the SEQRA documentation and obviously, we'll discuss and respond to any questions at public hearing but that's proceeding in response to those concerns.

MR. PETRO: Now it's proceeding so let's say they dig up a cannon, what's that going to do to our procedure?

MR. CAPELLO: What you do is they'll define the area where the dig has to be done and say that that area will not be disturbed until it has been signed off from the Parks and Recreation, historically, what you do is when you go through the process, you'll do Phase 1a, if that shows anything, you do further testing and delineate the area where the Phase 2 will be done. If the Phase 2 shows anything, you'll delineate an area and do a Phase 3. Phase 3 would be an actual recovery of anything that's there. They'll do the tests, SHPO will review it, whatever is recovered will be documented and cataloged and put in a museum or put wherever.

MR. PETRO: You have read the letter from Mr. Marshall?

MR. CAPELLO: We did read that, yes, we're aware of it and we'll respond in the context of the--

MR. PETRO: Okay, also my concern with the road obviously coming in its going to be actually built but

the extension in the back of the property, the property line, I don't know how big that is. I'd like to see that actually improved. I know it doesn't go to the property line and I will tell you this--

MR. TILTON: We're improving to the limits of our roadway.

MR. PETRO: I'm going to tell you why unless somebody proves me wrong or Mark says I'm not nuts which I hope you don't say it just like that but--

MR. EDSALL: Wouldn't touch it.

MR. PETRO: I find when there's easements on the property lines, whoever lives in the two end units, they start planting in there, 9 years from then when we go over there and now it's a nightmare. We have one across the street, we have to prove that it's a town road, very upset, everybody's screaming, number 2, you're going to pay for it now and later we'll have to pay for it but I think is that a problem improving that to that point?

MR. EDSALL: No, obviously, we wouldn't want to accept dedication at this point, it would end up being just a stub of a road where cars can park, hopefully, no debris or waste will get dumped.

MR. TILTON: The extent of the improvement it would be cleared and delineated.

MR. PETRO: Curbing, as far as the blacktop, I don't know how far you want to go, I'd just like to delineate it, enough curbing will do that, sidewalks, whatever, one side when you're coming up.

MR. CAPELLO: There are options we can explore as we go through the process of what we have done in other communities to make sure that the lot owners know that it's a future road to delineate it pursuant to restrictive covenants and another thing is we can inform a district of some type that shows that if and when this is built that the lot owners would be responsible. There are various alternatives we can

review, short of actually building the road because it has, as Mark has said, there's problems in letting it go and not being in title, also problems having a road that goes to nowhere but it usually ends up as hangout or park-off or some type of thing.

MR. PETRO: Well, there's merit in what I'm saying because no matter what, the person sells the place, next one doesn't know about it, the daughter moves in, there's never been a road there.

MR. CAPELLO: Well, we'll explore the possibility, we'll come up with some type of compromise that will address the town's concerns and still maybe be something short of actually building it.

MR. PETRO: Mark, work with them, you know what I want.

MR. EDSALL: I'll talk to John, we'll explore some ideas.

MR. PETRO: Curbs would be important though in my opinion but you come up with something. Any board members have any other comments? We've seen this so many times, what are we going to do tonight?

MR. EDSALL: Just to confirm with them, where do you stand as far as what you have in for a SEQRA application so far?

MR. CAPELLO: We have a full Part 3 with a Phase 1A and 1B archeological report, traffic study, drainage, water.

MR. EDSALL: Because apparently I don't have a full copy of that, that's why I'm asking because I have just the original submittal, at least I can't, the file's gotten quite large for having progressed as it did, what we need to do is to move forward and the public hearing for the site plan and so we can gather some information so that we can look toward closing out SEQRA when we have all this information available.

MR. PETRO: Still schedule a public hearing because that would be afterwards.

MR. EDSALL: Gather both input public hearing for the site plan and SEQRA.

MR. PETRO: One thing I'd like to have though before we actually have the public hearing would be the confirmation of the availability of the water and if you're going to buy the sewer points.

MR. ARGENIO: You don't have the points yet?

MR. TILTON: Yes, we do, we're monitoring, currently, I spoke to John Agio last week and we identified a location and we were out there Monday and installed a flow meter, we're going to do 30 day duration, check back with John and potentially go to a 60 day, keep track of the rain events, make sure that we've got representative information.

MR. EDSALL: He's responding to one of my previously previous comments about downstream capacity in the collection system.

MR. TILTON: We're monitoring at the back end of Continental Manor, that's where we figured we'd be.

MR. ARGENIO: Whatever the discharge point is, I guess.

MR. TILTON: We'll be discharging in front, but the capacity we felt that it could be an issue at the tail end of Continental Manor where we'd be picking up all the flow off Continental, so we're checking in the back.

MR. EDSALL: One of the procedural items that would make sense to do at this time if the applicant or one of the board members can contribute one of the sets of plans that we forward this on to the DOT formally to look for their technical review relative to the access to 300, obviously, it's not the equivalent of making an application for a permit, but it's this board requesting their review and technical input, if someone has a set, I can do that tomorrow.

MR. PETRO: Okay, just forward to the DOT, somebody

give them a plan, let's not hold up the public hearing anyway, just work on getting the letters that I requested and motion for public hearing.

MR. BRESNAN: So moved.

MR. LANDER: Second it.

MR. PETRO: Motion has been made and seconded that the New Windsor Planning Board have a public hearing for the Covington formerly Harp Estate site plan. Is there any further discussion? If not, roll call.

ROLL CALL

MR. ARGENIO	AYE
MR. BRESNAN	AYE
MR. KARNAVEZOS	AYE
MR. LANDER	AYE
MR. PETRO	AYE

MEADOWBROOK ESTATES (01-42)

John Capello, ESQ. appeared before the board for this proposal.

MR. PETRO: Plan was previously reviewed conceptually only the 183 lots.

MR. EDSALL: Again, that top number has gone to 74 in New Windsor, rather than the 165 originally, that's in my comment 1.

MR. PETRO: Okay, this subdivision we believe was grandfathered in in the old zoning, that's why we don't see the 80,000 square foot lots. I believe we or the town has been working with the applicant to come up with a compromise.

MR. CAPELLO: So what we're here for is to introduce the new plan based on Mr. Petro's comments regarding a compromise. This application was grandfathered but what we provided is in the R-2 zone or 3, in the R-3 zone, what we have shown is lots with a half acre or more of usable space, meaning non-wetlands or non-easements and a total of 1 acre lots in the R-1. in the R-1 and R-2 zone, what we show is lots with the usable space of one acre and whatever is left a minimum lot area of one acre, but it has to have at least one acre of usable space. Based on that layout, we come out with 74 lots with a remainder lot containing the majority of the wet areas that can be set aside for several different options, there's access to this to a developable area of the remainder lot off of the side road here, the rest of the lots front on 94 and we'll have access through the Town of Cornwall parcel where there will be 16 single family lots.

MR. PETRO: Let's make it clear at this time though too if for some reason the owners of the property should come back in at a later time to subdivide that remaining lands--

MR. CAPELLO: It won't be subdivided.

MR. PETRO: It will be under the new zoning laws, it's

not grandfathered in as this was.

MR. CAPELLO: I don't think in any event you could get much more, it's substantially wetlands.

MR. PETRO: I just wanted to be on the record with that so there's no misunderstanding down the road.

MR. EDSALL: One of the questions there are no lots that you're creating that are wetlands? There's no exclusive wetland lots?

MR. CAPELLO: This area we'll have to discuss, it's a developable area but does not show a house, it would be the 75th lot, there's a possibility of future development.

MR. BABCOCK: Lot 91 is a separate lot?

MR. CAPELLO: Yes, as it's shown now.

MR. PETRO: You're going to have to plot a house on that anyway.

MR. EDSALL: We're either going to want the lot 91 to be joined to the lot of the Meadowbrook which although they're two different towns, but by deed, you can tie them together, so we don't have a lot that's not a residential lot and nothing other than just wetlands.

MR. PETRO: It will be abandoned?

MR. CAPELLO: Well, as with the road issue, there's several different options, we can get a trust involved, we can make it part of a lot, we can reserve the possibility that--

MR. EDSALL: Well, bottom line is we either want a house shown or have it part of another lot and I don't really, I don't think the board would object if it's part of the Cornwall lot which is the Meadowbrook Lodge.

MR. PETRO: Doesn't that come off the other side road? Might be easy just to put a driveway and show a house,

it might even make somebody happy.

MR. ESDALL: Never know.

MR. CAPELLO: We can do that.

MR. PETRO: Or if you want to adjoin to the Meadowbrook, maybe they don't want to keep it, pay taxes, they can sell it as one family lot with a lot of land, can't use it for anything.

MR. ARGENIO: Can you show a house on a lot that's all wetlands?

MR. PETRO: It's not all, there's a usable piece. What's the road there, Mt. Airy?

MR. CAPELLO: Yes.

MR. PETRO: What's the average lot size, I think it's 1.4?

MR. CAPELLO: Sounds about right, minimum one acre and some are almost 3 acres and 3 acres here, I can't tell you absolutely but that wouldn't include this lot.

MR. PETRO: Motion to authorize lead agency coordination letter?

MR. BRESNAN: So moved.

MR. ARGENIO: Second it.

MR. PETRO: Motion has been made and seconded that the New Windsor Planning Board authorize lead agency coordination letter. Is there any further discussion from the board members? If not, roll call.

ROLL CALL

MR. ARGENIO	AYE
MR. BRESNAN	AYE
MR. KARNAVEZOS	AYE
MR. LANDER	AYE
MR. PETRO	AYE

MR. EDSALL: I assume that this board is interested in being lead agency since the great majority of the lots are in the New Windsor portion?

MR. PETRO: Absolutely.

MR. EDSALL: I'll convey that.

MR. CAPELLO: And we'll be submitting in the fairly near future similar package to what we have submitted on the--

MR. PETRO: Have you been to Cornwall yet with this at all?

MR. CAPELLO: I don't know if we have or not.

MR. TILTON: Not with the revised scenario.

MR. PETRO: Is the other lots by request or by design?

MR. CAPELLO: Probably because that's how the other one's laid out.

MR. PETRO: I guess that's all we're doing tonight. Conceptually, you're on your way.

MR. CAPELLO: What we'll be submitting also in conjunction with this we have an EAF that we just recently submitted and we'll be supplementing that as we did with the Meadowbrook with various reports to allow you to make your determination.

MR. PETRO: Thank you.

MR. CAPELLO: Thanks very much.

PEACH TREE ACRES SUBDIVISION (02-10)

Michael J. Calise, P.E., appeared before the board for this proposal.

MR. PETRO: Application proposes subdivision of 26.7 acre parcel into 5 acre single family residential lots. Plan is reviewed on concept basis only. R-1 zoning, which is permitted use by law, bulk information shown on the plan is correct for the zone, use group okay.

MR. CALISE: My name is Mike Calise, I'm a professional engineer for the project. I've got cards just in case. As the application states, this is the subdivision of a roughly 27 acre parcel into 5 individual single family residential lots and we believe that all the necessary amenities can be provided and any potential impacts successfully mitigated. We're here now for the board for direction and to move along in the process.

MR. PETRO: Mark, why don't you bring us up to date with a couple of your comments?

MR. EDSALL: It's an R-1, they have, which a lot of people don't this time we've gotten a complete bulk table. The only correction I believe is necessary is that lot 5 should have a net value since lot 5 has a pond and some wetlands, but it would still easily meet zoning. Some comments, the spacing of the wells and septic looks acceptable, I think there was a drafting error just between the spacing of the sanitary for lot 1 and the well for lot 2, you're a little bit too close, but I'm sure when the engineer gets in and does the final designs that will get corrected. You need to let us know if you want us to witness the perc and deep tests. If not, they can move forward on their own. Sheet 2, although I understand by looking at the match line that it's part of lot 5, it should clearly note that all that piece that's on that sheet is really just the remainder of lot 5 and sheet, and the, I believe the driveway's will require culverts, so you might as well see them now so that the highway super can save himself some paper rather than asking for them. Other than that, I would suggest that you assume the position of lead agency since I do not believe there are any

other agencies involved and since it's a 5 lot subdivision, you have to have a public hearing. I would suggest that you may want to authorize it but require that they have the sanitary designs complete and these other issues addressed before they actually have the public hearing.

MR. PETRO: We have highway here tabled, no drainage included, no comment at this time.

MR. EDSALL: I'm sure that's one of the things he's going to want once he gets the next plan.

MR. PETRO: Motion for lead agency.

MR. LANDER: So moved.

MR. BRESNAN: Second it.

MR. PETRO: Motion has been made and seconded that the New Windsor Planning Board declare itself lead agency for the Peach Tree Acres subdivision on Shaw Road. Is there any further discussion? If not, roll call.

ROLL CALL

MR. ARGENIO	AYE
MR. BRESNAN	AYE
MR. KARNAVEZOS	AYE
MR. LANDER	AYE
MR. PETRO	AYE

MR. PETRO: Motion to have a public hearing?

MR. LANDER: So moved.

MR. BRESNAN: Second it.

MR. PETRO: Motion has been made and seconded that the New Windsor Planning Board have a public hearing for the Peach Tree Acres subdivision on Shaw Road. Is there any further discussion? If not, roll call.

ROLL CALL

MR. ARGENIO	AYE
MR. BRESNAN	AYE
MR. KARNAVEZOS	AYE
MR. LANDER	AYE
MR. PETRO	AYE

MR. PETRO: I think Mark told you what you need to do, very simple, get that done, we'll schedule you for a public hearing. When it's done, when you're ready, you'll be on.

MR. CALISE: Thank you.

SABINI SITE PLAN (02-06)

Ms. Barbara Burger appeared before the board for this proposal.

MS. BURGER: My name is Barbara Burger. My understanding that based on the last workshop there were two remaining items to be addressed on this and that was the detail for the parking and that a street sign needed to be moved.

MR. PETRO: One other item I was pretty explicit about but I think Mike and I took a ride over there which was the drainage, I want to know where the water was coming off there but lucky for Mr. Sabini, there's a drainage culvert just down the road.

MR. ARGENIO: I took a ride over there, too, I saw the same thing, I don't think the drainage out in front of the lot is going to be a huge issue.

MR. LANDER: It's down by Babcock's then.

MR. BABCOCK: Yeah, crosses and goes into the swamp.

MR. PETRO: Weren't you lucky.

MR. SABINI: It has a little crown.

MR. PETRO: And the parking's been taken care of?

MR. EDSALL: Yes, parking is fine.

MR. PETRO: Application proposes conversion of existing residence to office building. Plans previously reviewed at the 27 March, 2002 planning board meeting, C zone, so you're all set there. Bulk information on the plan shown is correct for the zoning use, talked about the drainage already, parking's done, you have complied with that.

MR. EDSALL: Comment 2B building inspector just explained to me what their concept was from the workshop so they're not going to have a dumpster that it's just an on-site storage and they'll carry the

waste cans out for pickup. So that works fine.

MR. PETRO: Take the waste cans and dump them into what's the construction place cross the street, Strober King?

MR. EDSALL: The existing shed which is on the northwest corner, that one isn't noted to be removed but probably missed on the first plan.

MR. SABINI: Here's the deal with that, I think the neighbor has his own there by accident, I just asked Mr. Taravella that.

MR. EDSALL: It's not yours?

MR. SABINI: No, he says it's not even his.

MR. BABCOCK: It's not yours and it's not his?

MR. SABINI: No, it's the neighbor's. When you pull up your driveway to the far left right next to the neighbor's property, is that yours?

MR. TARAVELLA: You have two sheds on the map, right?

MR. EDSALL: One toward the back and one all the way to the left.

MR. BABCOCK: Out towards Temple Hill Road, Old Temple Hill Road the closest one.

MR. TARAVELLA: You're not talking about the concrete blocks.

MR. SABINI: Because it's, I think it's the neighbor's because the doors are towards his driveway.

MR. TARAVELLA: Yeah, that's his. I'm Jim Taravella, I'm the owner of the property.

MR. EDSALL: The only reason I raise the issue is that the setback is non-conforming, so if it happened to be yours, it would be a problem. He's not even on his own property, so it's more of problem so that should be

resolved.

MR. SABINI: You have to talk to him, Jim, all right?

MR. PETRO: Just put a note on the plan to be removed, that's all I need then we're done with that.

MR. LANDER: What are we doing about screening, do we need screening?

MR. EDSALL: Sheet 2 has some landscaping.

MR. LANDER: Martino property is higher.

MR. BABCOCK: That's also a chiropractor's office.

MR. LANDER: What's next door, Andrews, is that a residence or--

MR. BABCOCK: Yes, I think so.

MR. LANDER: Where's the doctor's office?

MS. BURGER: It's at the corner.

MR. BABCOCK: They've got a schedule down on the bottom on the left-hand side.

MR. LANDER: Yes.

MR. PETRO: Let's talk about the lighting, you have lighting on the house itself. You have wall packs?

MR. SABINI: Yes and I think there's also a light, a pole right in the parking lot, it's a 20 foot pole.

MR. PETRO: It's going to illuminate the parking lot?

MR. SABINI: Yes,

MR. EDSALL: My only concern would be that they're both cut-off type affects fixtures, because you still have a couple residences, it could become an annoyance, we may want to have a note that says they'll be on a timer.

MR. SABINI: Okay, like the mini-stores.

MR. EDSALL: Cuts down on the complaints.

MR. SABINI: Okay.

MR. PETRO: Did we get anything back from the other agencies?

MR. LANDER: We have something back from DOT?

MS. MASON: Yes.

MR. PETRO: No objection to the Town of New Windsor Planning Board assuming the role of lead agency from DOT.

MR. LANDER: Well, in order to do work in the DOT right-of-way, they have to get a permit.

MR. PETRO: Yeah.

MR. ARGENIO: You know the story with the DOT.

MR. PETRO: Please be aware the state highway work permit may be required, will be required, sorry. Did I say may be?

MR. LANDER: Yeah.

MR. PETRO: Will be required.

MR. EDSALL: It needs to go to DOT and if you look at my comment 4, I'm just suggesting that if I can get some spare plans tonight, I'll make the referral now that all these issues have been cleaned up on the plan.

MR. LANDER: All right, there you go.

MR. SABINI: Can I ask you something? I just saw the comment on number 4 about the public hearing, I may or may not have to have one, do I have to have a public hearing for this job or is--

MR. PETRO: This is the way it is, it's got to go to

DOT anyway, we can't do anything tonight as far as final approval, you have to get DOT approval. You also have two notes that I know of to be put on the plan, one to remove the shed, one to show that the lighting will be on the timer, such and such a time, if you have a public hearing, you're all set for a long time with everybody around you. Nobody can say they weren't told about it. Could become a serious problem, the Supervisor gets phone calls, we get why didn't you have a public hearing. If we don't have a public hearing, sure, it's that much simpler, you have to come back anyway, we can do it all at the same night. It's not going to change a thing for you.

MS. BURGER: Public hearing, conditional approval.

MR. PETRO: Probably will be the same night, I don't see why it wouldn't be if you're prepared.

MR. SABINI: Can you explain about the DOT again, I thought that if we got in touch with them, they had 30 days to respond?

MR. EDSALL: That's for lead agency, that's under SEQRA but this is for their approval of the location. It's not for a permit. You'll have to go for a permit later, but what we asked them to do is make a technical review, see if they have an objection before the board approves it.

MR. PETRO: Especially where you're going to professional use and there are still residential homes around, it's good to have a public hearing, it will just be done with. Motion to have a public hearing, schedule a public helping?

MR. LANDER: So moved.

MR. KARNAVEZOS: Second it.

MR. PETRO: Motion has been made and seconded that the New Windsor Planning Board schedule a public hearing for the Sabini site plan on Temple Hill Road.

ROLL CALL

MR. ARGENIO	AYE
MR. BRESNAN	AYE
MR. KARNAVEZOS	AYE
MR. LANDER	AYE
MR. PETRO	AYE

MR. PETRO: If you get the plan to the DOT, add the two notes to the plan, we'll see you at the public hearing.

MR. EDSALL: Somebody donate a copy that I can send over to DOT.

MR. LANDER: You can have mine.

MR. PETRO: Motion to adjourn?

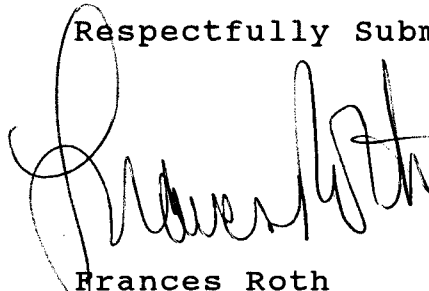
MR. BRESNAN: So moved.

MR. LANDER: Second it.

ROLL CALL

MR. ARGENIO	AYE
MR. BRESNAN	AYE
MR. KARNAVEZOS	AYE
MR. LANDER	AYE
MR. PETRO	AYE

Respectfully Submitted By:


Frances Roth
Stenographer
6/5/02